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one whom he has feloniously killed, it has been held that a husband does become seized of an entire estate in property which he and his wife held as tenants by entireties when the death of the wife was caused by his felonious act. *Beddingfield v. Estill*, 118 Tenn. 39, 100 S. W. 108, 9 L. R. A. (N. S.) 640, 11 Ann. Cas. 904.

For right of the representative of a deceased consort to sue the other for death by wrongful act in Virginia, see 7 VA. LAW REV. 82.

EXTRADITION—FLIGHT—DEPARTURE FROM STATE AFTER ACT IN FURTHERANCE OF CRIME SUBSEQUENTLY CONSUMMATED.—The petitioner was arrested by Alabama authorities on a requisition of the governor of Michigan, founded upon affidavit, charging the petitioner with having deserted his wife and family in Michigan on the 22nd day of December, 1918. As a matter of fact the petitioner was not in the State of Michigan on that date, having left on the 21st of December, 1918. He therefore brought this writ of *habeas corpus*, claiming his detention to be illegal. *Held*, petition dismissed. *Ex parte Forbes* (Ala. App.), 85 So. 590.

In extradition proceedings, a requisition of the executive authority of a State, accompanied by a sworn copy of the accusation and a warrant of the governor of the surrendering State authorizing arrest, creates a presumption that a crime has been committed in the demanding State and, where *habeas corpus* is resorted to, makes out a *prima facie* case that the prisoner is legally held. *Godwin v. State*, 16 Ala. App. 397, 78 So. 313; *In re Van Sciever*, 42 Neb. 772, 60 N. W. 1037, 47 Am. St. Rep. 730. But it is the general rule that, for a person to be a fugitive from justice, it must be affirmatively shown that he was actually within the State, from which a demand for his surrender comes, at the time at which the crime is alleged to have been committed. *Farrell v. Hawley*, 78 Conn. 150, 61 Atl. 502, 70 L. R. A. 686, 112 Am. St. Rep. 98, 3 Ann. Cas. 874; *Hartman v. Aveline*, 63 Ind. 344, 30 Am. Rep. 217; *Dennison v. Christian*, 72 Neb. 703, 101 N. W. 1045, 117 Am. St. Rep. 817. However, where, as in the instant case, one departs from a jurisdiction after the commission of an act in furtherance of a crime subsequently consummated, it is a flight from justice, and renders the fugitive liable to extradition. *Strassheim v. Daily*, 221 U. S. 280; *In re Sultan*, 115 N. C. 57, 20 S. E. 375, 28 L. R. A. 294, 44 Am. St. Rep. 433; *Ex parte Hoffstot*, 180 Fed. 240, 243. For other notes on extradition, see 2 VA. LAW REV. 472; 5 VA. LAW REV. 287.

HUSBAND AND WIFE—DIVORCE PROCEEDINGS—AGREEMENT TO RESUME MARITAL RELATIONS.—The plaintiff brought a suit against her husband for an absolute divorce, on the ground of adultery. While the suit was pending, she discontinued it, and resumed her relations with her husband, in consideration of the agreement of her husband and his father to pay her an annuity each month during the remainder of her life. She lived with her husband until his death. A portion of the money had been paid her, and this action was brought against the father to recover what was due and owing her under the contract. *Held*, she can recover. *Rodgers v. Rodgers* (N. Y.), 128 N. E. 117.